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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).

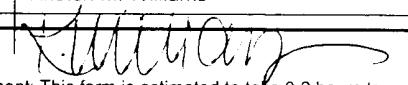
Application Number	09/359,593
Filing Date	JULY 23, 1999
Examiner Name	Nguyen, Quang
First Named Inventor	Robert I. Garver
Group Art Unit	1636
Attorney Docket Number	JHV-009.01

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1.	Submission required under 37 C.F.R. § 1.114
a.	<input type="checkbox"/> Previously submitted <ul style="list-style-type: none"> <li>i. <input type="checkbox"/> Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered).</li> <li>ii. <input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____</li> <li>iii. <input type="checkbox"/> Other _____</li> </ul>
b.	Enclosed
	<ul style="list-style-type: none"> <li>i. <input checked="" type="checkbox"/> Amendment/Reply</li> <li>ii. <input type="checkbox"/> Affidavit(s)/Declaration(s)</li> <li>iii. <input type="checkbox"/> Information Disclosure Statement (IDS)</li> <li>iv. <input type="checkbox"/> Other _____</li> </ul>
2.	Miscellaneous
a.	<input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
b.	<input type="checkbox"/> Other _____
3.	<b>Fees</b> The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed. <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. <u>06-1448</u> <ul style="list-style-type: none"> <li>i. <input type="checkbox"/> RCE fee required under 37 C.F.R. § 1.17(e)</li> <li>ii. <input type="checkbox"/> Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)</li> <li>iii. <input checked="" type="checkbox"/> Other <u>Any other fee which is required for this submission</u></li> </ul> </li> <li>b. <input checked="" type="checkbox"/> Check in the amount of <u>\$375.00</u> for RCE and <u>\$985.00</u> for Extension of Time enclosed</li> <li>c. <input type="checkbox"/> Payment by credit card (Form PTO-2038 enclosed)</li> </ul>

<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED</b>			
Name (Print /Type)	Gillian M. Fenton	Registration No. (Attorney/Agent)	36,508
Signature			
Date	July 1, 2003		

<b>CERTIFICATE OF MAILING OR TRANSMISSION</b>			
I hereby certify that this correspondence is being deposited with the US Postal Service as Express Mail Number EV 327702875 US mail in an envelope addressed to: Mail Stop RCE Commissioner For Patents, P.O. Box 1450, Alexandria VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:			
Name (Print /Type)	Kristen M. Williams		
Signature			
Date	July 1, 2003		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents, Box RCE, Alexandria, VA 22313-1450

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RE-359,593  
In re the application of: Garver et al

Serial No.: 09/359,593

Filed: July 23, 1999

For: *Controlled Release of Bioactive Substances*

Examiner: Nguyen, Quang

Group Art Unit: 1636

Docket No.: JHV-009.01

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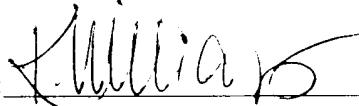
7/14/03

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July 1, 2003

Date of Signature and Mail Deposit

By: 

Kristen M. Williams

**RESPONSE AND AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This response is being filed in the above referenced application together with a petition for five month Extension of time and the appropriate fees therefor. A Request for Continued Examination (RCE) is being filed concurrently.

The Commissioner is hereby authorized to credit any overpayment or charge any deficiencies to Deposit Account Number **06-1448, Reference JHV-009.01**.